

Exhibit 4

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1 S. Andriesz - Redirect - Mr. Brickman
2 documentation or subject
3 matters/areas they might be looking
4 at?

5 THE WITNESS: Yes.

6 ARBITRATOR ELKIND: Did they do
7 that with respect to the NFA audit
8 that you were not present for?

9 Before the date they were
10 scheduled to come, did you receive
11 any pre-communications from the NFA
12 about the subject areas or what
13 documentation they needed to perform
14 that audit?

15 THE WITNESS: I didn't receive
16 the direct communication.

17 They would have communicated
18 with probably the head of compliance.

19 And then if they come in for an
20 audit, which they have to set a date,
21 right?

22 So they would if they don't
23 just turn up on the front door,
24 they've arranged the audit.

25 I'm supposed to be reporting to

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2 them and to be interviewed by them?

3 ARBITRATOR ELKIND: Perhaps.

4 But did the compliance
5 department communicate with you about
6 this pending audit?

7 THE WITNESS: I knew the NFA
8 were coming in.

9 ARBITRATOR ELKIND: No, no, but
10 did your compliance office in
11 New York --

12 THE WITNESS: Yes, sir.

13 ARBITRATOR ELKIND: --
14 communicate with you about this
15 pending audit?

16 THE WITNESS: They did, yes.

17 ARBITRATOR ELKIND: And what
18 did they communicate to you?

19 THE WITNESS: That the NFA were
20 coming in to do an audit. And that's
21 when I was pressured to rubber stamp
22 the signatory.

23 And I refused and said I'm not
24 going to lie to the NFA.

25 MR. BRICKMAN: That's my next

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1 S. Andriesz - Redirect - Mr. Brickman
2 question.

3 ARBITRATOR ELKIND: Thank you.

4 THE WITNESS: Was it okay? Did
5 I answer --

6 ARBITRATOR ELKIND: Yes, yes,
7 perfect.

8 BY MR. BRICKMAN:

9 Q Prior to the NFA audit, and
10 prior to, on February 8, being placed on
11 paid administrative leave, did you
12 communicate to anyone at BGC that you
13 were going to report certain things to
14 the NFA when they came in to audit?

15 A I said I'm not going to lie
16 about what the company is doing to the
17 NFA.

18 I said ahead of that audit, I'm
19 not going to lie. And I would be
20 reporting breaches in regulation,
21 accounting, everything that a branch
22 manager's signatory would be responsible
23 for.

24 Q If we look for a second at
25 Exhibit 174, Mr. Andriesz --

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2 A Yes.

3 Q -- that's an email you wrote to
4 Ms. Risotto on February 4, 2016, correct?

5 A Yes.

6 Q What does that email relate to?

7 A This is the NFA audit.

8 I'm reporting the fraudulent
9 accounting, highlighting how big an issue
10 that is for the company.

11 And I've reported this to the
12 head of compliance, Mike Sulfaro.

13 And then JP told me --
14 Mr. Aubin told me not to -- told me not
15 to.

16 Q And you write:

17 "I just had a meeting with
18 him," meaning Mike Sulfaro, "about
19 the NFA visit, and I'm noting to
20 lie about what is going on."

21 A Yes.

22 Q For the record, I have reported
23 this even though JP told me not to.

24 A Correct.

25 Q Now, four days later on

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1 S. Andriesz - Redirect - Mr. Brickman
2 February 8th, you were placed on
3 administrative leave, correct?

4 A Correct.

5 Q And just so everyone is on the
6 same page, if we look at Exhibit 195,
7 that's the letter you received, did you
8 not, about being put out on
9 administrative leave, correct?

10 A Yes, I was just reading it.

11 MR. SHAH: You're looking at
12 the wrong document.

13 MR. BRICKMAN: Oh, no. This is
14 the February 22.

15 THE WITNESS: This is 195.

16 MR. BRICKMAN: No, no.

17 BY MR. BRICKMAN:

18 Q So February 8th.

19 A What page, please?

20 Q I just have to find it.

21 Give me one second.

22 I'm sorry, it's 185. I
23 apologize.

24 So you were put out according
25 to this letter, Mr. Andriesz, from

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1 S. Andriesz - Redirect - Mr. Brickman
2 February 8th through February 19th.

3 Do you see that?

4 A Yes.

5 Q And, to the best of your
6 recollection, did the NFA audit you had
7 discussed with Mr. Sulfaro occur during
8 the period that you were put out?

9 A Yes.

10 MR. SHAH: Objection.
11 Foundation.

12 I don't think this witness has
13 any basis to testify about whether
14 the audit took place while he wasn't
15 in the office.

16 ARBITRATOR KHEEL: In terms of
17 the timing, though, when it actually
18 occurred.

19 MR. BRICKMAN: He certainly
20 does. He spoke and met with
21 Mike Sulfaro about the NFA audit.

22 ARBITRATOR KHEEL: No, no, no,
23 no.

24 As I am hearing it, a very
25 technical question is: What evidence

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1 S. Andriesz - Redirect - Mr. Brickman
2 do we have that the audit took place
3 on a particular date?

4 MR. BRICKMAN: You have
5 testimony of this witness, and you
6 have testimony of this witness
7 talking about, prior to the NFA
8 audit, he had met with and spoke to
9 Mike Sulfaro.

10 ARBITRATOR KHEEL: No, I got
11 everything.

12 MR. BRICKMAN: So he obviously
13 knew --

14 ARBITRATOR KHEEL: That it was
15 going to take place?

16 ARBITRATOR ELKIND: Within a
17 certain time frame, but not a
18 date-specific.

19 MR. SHAH: Right.
20 That's all I'm asking.

21 ARBITRATOR ELKIND: But I think
22 we're talking about a date-specific?

23 MR. SHAH: I think witnesses
24 will come that actually know the
25 answers to these questions. So you